

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

Claims 25-33 and 35 are being presented, of which claim 25 is an independent claim. By this amendment, claims 25 and 30 are being amended, claim 34 is being cancelled without prejudice as to the subject matter recited therein, and new claim 35, dependent from amended claim 25, is being added.

The amendment to claim 25 is supported, for example, by Fig. 9 of the present application, which depicts the Program Information Display Setting Screen, according to one illustrative embodiment of the present invention. The illustrative setting screen provides for the user to select the duration of the program information display on the video screen. Row 904 of the illustrative setting screen allows the user to select any one of five different durations, i.e., “very late”, “late”, “common”, “early” and “very early,” before the program information display on the video screen is terminated. As explained on page 17, line 26-page 18, line 12 of the present application, the user may select by using row 905 of the illustrative setting screen as to whether the program information display is to be scrolled across part of the video screen at a speed determined by the scrolling speed condition selected in row 906 of the setting screen, or a fixed program information display having a duration determined by the display duration condition selected by the user using row 904 of the setting screen. For either one of the two display methods for program information display, the time period during which the program information is displayed depends on a condition set in the setting screen. Accordingly, amended 25 is not drawn to new matter.

New claim 35 depends from amended claim 25, and has the additional requirement of “wherein the program information for the second program is displayed so as to veils a part of the video image of the second program.” Support for the additional requirement may be found, for example, in Figs. 4 and 5 of the present application, each of which shows an illustrative example of how program information being displayed “veils” a part of the video image of the new program when the user changes from a current program to the new program. Therefore, new claim 35 is also not drawn to new matter.

As a result of the outstanding office action, claims 25-34 stand rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by U.S. Patent No. 5,850,218 to LaJoie et al. These rejections are each overcome by the current amendment of claim 25, and, in the case of claim 34, removed the cancellation of that claim. It also appears from page 7 of the outstanding office action that claim 34 is also being rejected as anticipated by “Alexander et al.” Applicant assumes that “Alexander et al.” refers to U.S. Patent No. 6,177,931 B1 to Ronald Alexander et al., which is of record in the present application. However, this rejection of Claim 34 is now moot on account of the cancellation of that claim.

As amended, claim 25 clearly distinguishes over LaJoie et al. in that the reference does not teach or suggest “displaying a setting screen for setting a time period for displaying the program information for the second program,” or “wherein the time period for displaying the program information for the second program meets a condition at the setting screen.”

As expressly stated in col. 15, lines 14-28 and lines 36-56, and in other parts of LaJoie et al., when a user changes from a first channel display to a second channel display, “a

program information banner . . . is preferably displayed for a fixed period of time (e.g. 2 seconds) or until an information key . . . is depressed . . .,” which causes the display of an additional program information banner containing more detailed program information. Nowhere in LaJoie et al. is there any disclosure or suggestion that the duration of the program information banner display may be made readily adjustable by the user. Indeed, in the exemplary Channel Settings Menu and the General Settings Menu illustrated in Fig. 10 of LaJoie et al. no provision is shown that allows the user to set a condition that determines the time period for displaying a program information banner before the display of such banner is terminated, so that the video screen is no longer partially obscured by the banner.

Allowing for user adjustment of the duration of display of program information after the program is changed is a highly desirable and advantageous feature, since those users who are able to quickly glean the program information of interest to them may find it objectionable to have the program information display, which veils a portion of the video screen image, terminate later than necessary, while those users who carefully read the displayed program information in detail may find it frustrating to have the program information display terminate too early. LaJoie et al. makes no mention of any desirability of having the duration of the program information banner display be made easily adjustable by the user. Accordingly, amended claim 25 is patentably distinguishable over LaJoie et al.

Claims 26-33 and 35 each depend, directly or indirectly, from amended claim 25 and is, therefore, also patentably distinguishable over LaJoie et al. at least for the same reasons as explained above for patentably distinguishing amended claim 25 over that reference.

For these reasons, each of claims 25-33 and 35, as amended, is patentably distinguishable over LaJoie et al.

In light of the foregoing, applicant respectfully requests allowance of claims 25-33 and 35, as amended, and the passage of the present application to issue.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,


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